REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTALPE

Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-

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3) Approved for use through 04/30/2003, OMB 0651 0031						
Application Number	10/787,433	J-fw				
Filing Date	February 26, 2004]				
First Named Inventor	Michael Wayne Johnson	1				
Art Unit	3749	1				
Examiner Name	Stephen Michael Gravini					
Attorney Docket No.	11430.2157					

1. Submission required under 37 CFR 1.114 NOTE: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed, unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). a. Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked. i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on	This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.							
Action may be considered as a submission even if this box is not checked. i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on	amer other	ndments rwise. If	enclosed applicar	with the RCE will be entered in the does not wish to have any previous	he order i	n which they	were filed, unless applic	ant instructs
ii. Other	a.							er the final Office
b. B Enclosed i. Amendment/Reply iii. Information Disclosure Statement (IDS) iii. Affidavit(s)/Declaration(s) iv. Other 2. Miscellaneous a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) b. Other 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-2442 i. RCE fee required under 37 CFR 1.17(e) 11/30/2004 JRDD01 00000073 10787433 iii. Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 0P iiii. Other b. Check in the amount of \$ 790 enclosed c. Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED Name (Print/Type) David L. Principe Registration No. (Automey/Agent) 39,336 Signature David L. Principe Registration No. (Automey/Agent) 39,336 Signature David L. Principe Registration No. (Automey/Agent) 39,336 CERTIFICATE OF MALLING OR TRANSMISSION It hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Name (Print/Type) Janice Capuani		i.		Consider the arguments in the A	Appeal Bri	ef or Reply	Brief previously filed on	
ii. Amendment/Reply iii. Information Disclosure Statement (IDS) iii. Affidavit(s)/Declaration(s) iv. Other		ii.		Other				
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ii. Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 OP			The Di	rector is hereby authorized to cha it Account No. <u>08-2442</u>	rge the fol	lowing fees,	, or credit any overpayme	
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Signature David L. Principe Registration No. (Attorney/Agent) 39,336	c.		Payme	nt by credit card (Form PTO-2038	3 enclosed) !		
Name (Print/Type) David L. Principe Registration No. (Attorney/Agent) Date November 24, 2004 CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Name (Print/Type) Janice Capuani								
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class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Name (Print/Type) Janice Capuani	CERTIFICATE OF MAILING OR TRANSMISSION							
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Signature Date November 24, 2004	Name (P	rint/Type)	Ja	anice Capuani			,	
	Signature	e		Janice Capuani	1	Date	November 24, 2004	

	gh 07/31/2006, OMB 0651-0032	Application Number	10/787,433	
? E TRANSM	IITTAL	Filing Date	February 26, 2004	
O now life for FY 20	004	First Named Inventor	Michael Wayne Johnson	
for FY 20	subject to annual revision.	Examiner Name	Stephen Michael Gravini	
Applicant claims small entity statu	is. See 37 CFR 1.27.	Group/Art Unit	3749	
TOTAL FATURE OF PAYMENT	(\$)790	Attorney Docket Number	11430.2157	

TOTAL APPROPRIATION (S)170		Attories Doctor (tailed)					
METHOD OF PAYMENT (check all that apply))	FEE CALCULATION (continued)					
■ Check □ Credit Card □ Money Order □ Other	Money Order Other None 3. ADDITIONAL FEES						
Deposit Account: Deposit Account Number: 08-2442		Large	Entity	Smal	l Entity		
Deposit Account Name: <u>Hodgson Russ LLP</u> The Director is hereby authorized to (check all that apply)		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Charge fee(s) indicated below Charge any fee deficiencies or credit any overpayments	;	1051	130	2051	65	Surcharge - late filing fee or oath	s
☐ Charge any additional fees during pendency of this app	lication.	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	s
Charge fees indicated below, except for the filing fee to the above-identified deposit account		1053	130	1053	130	Non-English specification	\$
FEE CALCULATION		1812	2,520	1812	2,520	For filing a request for ex parte reexamination	\$
-1. BASIC FILING FEE Large Entity Small Entity		1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
Fee Fee Fee Code (\$) Code (\$) Fee Description	Fee Paid	1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	s
1001 790 2001 395 Utility filing fee	s	1251	110	2251	55	Extension for reply within first month	\$
1002 350 2002 175 Design filing fee	\$	1252	430	2252	215	Extension for reply within second month	s
1003 550 2003 275 Plant filing fee	\$	1253	980	2253	490	Extension for reply within third month	\$
1004 790 2004 395 Reissue filing fee	s	1254	1,530	2254	765	Extension for reply within fourth month	\$
1005 160 2005 80 Provisional filing fee	\$	1255	2,080	2255	1,040	Extension for reply within fifth month	\$
SUBTOTAL (I)	\$	1401	300	2401	150	Notice of Appeal	s
2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE Extra Fee from	Fee Paid	1402	340	2402	170	Filing a brief in support of an appeal	s
Claims below Total Claims / / -20** = / / x / / =	\$	1403	300	2403	150	Request for oral hearing	\$
Independent Claims / /- 3** = / / x / /=	s	1451	1,510	1451	1,510	Petition to institute a public use proceeding	\$
Multiple dependent / / x / / =	<u>s</u>	1452	110	2452	55	Petition to revive - unavoidable	\$
Large Entity Small Entity		1453	1,370	2453	685	Pétition to revive - unintentional	\$
Fee Fee Fee Fee Code (\$) Code (\$) Fee Description		1501	1,370	2501	685	10 advance copies Utility issue fee (or reissue)	\$ \$
1202 18 2202 9 Claims in excess of 20		1502	490	2502	245	Design issue fee	s
1201 88 2201 44 Independent claims in exce	ss of 3	1503	660	2503	330	Plant issue fee	s
1203 300 2203 150 Multiple dependent claim i	f not paid	1460	130	1460	130	Petitions to the Commissioner	s
1204 88 2204 44 **Reissue independent claims original patent		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	s
1205 18 2205 9 **Reissue claims in excess of over original patent	20 and	1806	180	1806	180	Submission of Information Disclosure Statement	s
SUBTOTAL (2)	· \$	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	s
SUBMITTED BY: David L. Principe Reg. No. 39,336		42,475 1809	790	2809	395	Filing a submission after final rejection(37 CFR 1.129(a))	s
SIGNATURE Child Jemy			790	2810	395	For each add'l invention to be examined(37 CFR1.129(b))	\$
DATE: November 24, 2004 Telephone: (716) 848-1262			790	2801	395	Request For Continued Examination (RCE)	\$790
		1802	900	1802	900	Request for Expedited Examination of a design application	s
		Other fee	(specify)				s
	*Reduced by basic filing fee paid SUBTOTAL (SUBTOTAL (3)	\$790	

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